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SUPREME COURT, U. S. **No. 33.**

IN THE

Supreme Court of the United States

OCTOBER TERM, 1962.

INCRES STEAMSHIP COMPANY, LTD.,

Petitioner,

against

INTERNATIONAL MARITIME WORKERS UNION and SHANNON J. WALL and EDWARD POGOR, JOHN DOE and RICHARD ROE,

Respondents.

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS OF THE STATE OF NEW YORK.

SUPPLEMENTAL STATEMENT OF RESPONDENTS CORRECTING AN ERROR

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On page 52 of our main brief we cited and discussed a number of provisions of Title 22 of the Liberian Code of Laws of 1956[1] (i.e., §§312, 313, 314, 315, 316). These sections, as we pointed out, were limited in their application to events taking place in Liberia or to vessels in Liberian waters. They were all subsequently repealed or removed from Title 22 and placed in Title 19 of the Code and assigned new section numbers. So far our discussion of the Liberian Code was correct.

[1] Published by the Cornell University Press.

We were unaware at the time but have since been informed by counsel for the Republic of Liberia that after repealing or removing the old provisions of Title 22, new provisions were enacted by the Republic of Liberia dealing with different subject matter but assigned the old section numbers. At the same time, a new Section 369, which we referred to as non-existent, was added to Title 22. These provisions appear to have been published for the first time on an unspecified date after Februery 4, 1961. They were not published by the Cornell University Press, although so cited in the Republic of Liberia's brief, and that is why we overlooked them. These new sections set minimum standards governing such things as maintenance and cure, burial expenses, repatriation, overtime wages, and age of seamen employed on Liberian flag ships. Application of the LMRA to Liberian flag ships operated in United States commerce would in no way interfere with enforcement of these laws by the Government of Liberia. Indeed, new Section 369 recognizes the right of seamen on Liberian flag ships to bargain collectively regarding terms of employment. It provides:

> "Additional Agreement.—Notwithstanding anything in this Chapter, nothing shall prevent a shipowner or employer from entering into agreements with employees covered by the provisions of this Chapter, as a consequence of collective bargaining or otherwise, embodying standards not lower than those required by this Chapter."

We apologize for any mistaken impressions caused others by our own confusion.

Respectfully submitted,

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